

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

ARESTY INTERNATIONAL LAW OFFICES, P.C.)	
)	
Plaintiff,)	
)	
v.)	CASE NO. 04-12532 RWZ
)	
HARTFORD FIRE INSURANCE COMPANY)	
)	
Defendant.)	

**PLAINTIFF'S MOTION TO COMPEL THE DESIGNATION OF WITNESSES
PURSUANT TO FED.R.CIV.P. 30(b)(6) AND FOR EXPENSES AND SANCTIONS
UNDER FED.R.CIV.P. 37(a) AND (d)**

In accordance with Rule 37(a) and (d) of the Federal Rules of Civil Procedure and Rule 37.1 of the Local Rules, plaintiff Aresty International Law Offices, P.C. ("Aresty"), hereby moves for an order compelling the defendant, Hartford Fire Insurance Company ("Hartford"), to make an adequate designation under Rule 30(b)(6) of the one or more officers, directors, managing agents, or any other persons designated by the Hartford as having the most knowledge concerning the Hartford's denial of Aresty's insurance claim; and for expenses and sanctions for the Hartford's failure to make this designation despite Aresty's several requests under Rule 37(a)(4) and (d); and for any additional order the Court deems just. As is shown more fully in the supporting memorandum attached hereto, the Court should grant Aresty's motion to compel discovery and for sanctions because the motion seeks the disclosure of information relevant to the subject matter of the underlying dispute, and the Hartford has persisted in ignoring Plaintiff's requests for such discovery despite being served with proper notices on several occasions.

WHEREFORE Aresty respectfully requests that the Court grant its Motion for the following relief under Rule 37(a) and (d):

1. An order compelling the Hartford to make an adequate Rule 30(b)(6) designation under Rule 30(a)(2)(b) of the person or persons having knowledge concerning the subject matters contained in the schedule attached to Aresty's notice of deposition, and making such person or persons available for deposition, at the Hartford's expense, at a time prior to the parties' July 13, 2005 status conference;
2. An order granting Aresty reasonable expenses, including attorney's fees, caused by the Hartford's failure to make a proper Rule 30(b)(6) designee available for deposition; and
3. Any such further orders in regards to the Hartford's repeated failure to make a proper Rule 30(b)(6) witness available for deposition as the Court deems just and appropriate.

ARESTY INTERNATIONAL
LAW OFFICES, P.C.

By its attorneys,

/s/ James T. Hargrove
James T. Hargrove (BBO# 550975)
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Date: June 17, 2005

CERTIFICATE OF COMPLIANCE WITH LOCAL RULE 37.1

Aresty International Law Offices, P.C., through its attorney, certifies that it has complied with the provisions of Local Rule 37.1, including conferring with counsel of the Hartford Fire Insurance Company in a good faith effort to narrow the areas of disagreement to the greatest extent possible.

/s/ James T. Hargrove
James. T. Hargrove

Date: June 17, 2005